

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN OWENS,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	
	:	
KYLE RUSSELL, et al.,	:	NO. 22-1345
Respondents.	:	

ORDER

AND NOW, this 4th day of November, 2022,
upon careful and independent consideration of the petition for a writ of habeas corpus and
available state court records, and after review of the Report and Recommendation of United
States Magistrate Judge David R. Strawbridge, and no timely objections having been filed it is
ORDERED that The Report and Recommendation is **APPROVED** and **ADOPTED**;

2. The petition for a writ of habeas corpus is **DISMISSED WITHOUT
PREJUDICE**;

3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not
made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable
jurists would debate the correctness of this ruling. See [28 U.S.C. § 2253\(c\)\(2\)](#); *Slack v.*
McDaniel, [529 U.S. 473, 484](#) (2000); and

4. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/WENDY BEETLESTONE, J.

WENDY BEETLESTONE, J.